

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGEL CASTANEDA,

Defendant.

8:11CR264

ORDER

Defendant Angel Castaneda (Castaneda) appeared before the court on November 5, 2014, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 38). Castaneda was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Special Assistant U.S. Attorney David M. Wear. Through his counsel, Castaneda waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and Castaneda should be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

The government moved for detention. Through counsel, Castaneda did not present any evidence but requested he be released. Counsel argued Castaneda was not provided a post-release opportunity for transition and would now abide by conditions of release. The court finds Castaneda has failed to carry his burden pursuant to 18 U.S.C. § 3143 and should be detained pending a dispositional hearing before Senior Judge Strom.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 9:30 a.m. on December 3, 2014**. Defendant must be present in person.
2. Defendant Angel Castaneda is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 5th day of November, 2014.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge